

**RFP-10-33**  
**SECTION ONE**  
**GENERAL INFORMATION AND REQUESTED PRODUCTS/SERVICES**

**1.1 INTRODUCTION**

In accordance with Indiana statute, including IC 5-22-9, the Indiana Department of Administration (IDOA), acting on behalf of the Indiana Department of Education (IDOE) requires services to implement a web-based statewide mathematics intervention plan to help increase student academic outcomes in mathematics. It is the intent of IDOA to solicit responses to this Request for Proposals (RFP) in accordance with the statement of work, posted on the IDOA website (<http://www.IN.gov/idoa/2345.htm>) for downloading. A nominal fee will be charged for providing hard copies. Neither the RFP nor any response (proposal) submitted hereto are to be construed as a legal offer.

**1.2 DEFINITIONS AND ABBREVIATIONS**

Following are explanations of terms and abbreviations appearing throughout this RFP. Other special terms may be used in the RFP, but they are more localized and defined where they appear, rather than in the following list.

21 <sup>st</sup> Century Community Learning Centers	Federally funded entities within a local education agency, a community-based organization, public or private organization, or a consortium of such agencies and organizations which offers academic, artistic, and cultural enrichment opportunities to students and their families when school is not in session (before school, after school, or during holidays or summer recess).
IAC	The Indiana Administrative Code.
IC	The Indiana Code.
IDOE	Indiana Department of Education.
Academic Standard	A broad content statement of what an individual should know and be able to do relative to a particular area of study. (e.g., Computation).
After-School Programs	Programs that take place outside of regular school hours and extend or enhance students' instructional days.
Assessment	A tool designed to measure the progress of one or more students in a class, grade, school, and/or a corporation with regard to mastering the Indiana Academic Standards.
FERPA	Family Educational Rights and Privacy Act.

Full Time Equivalent (FTE)	The State defines FTE as a measurement of an employee's productivity on a specific project or contract. An FTE of 1 would mean that there is one worker fully engaged on a project. Two employees each spending 1/2 of their working time on a project, would also equal 1 FTE.
Implementation	The successful completion of the services requested the Indiana Department of as specified in the contract resulting from this RFP.
Installation	The delivery and physical setup of products or services requested in this RFP.
ISTEP+	Indiana Statewide Testing for Educational Progress-Plus, Indiana's statewide testing program. ISTEP+ assessments are currently administered in the spring of the school year at grades 3 through 8 in English/language arts and mathematics, at grades 4 and 6 in science, and at grades 5 and 7 in social studies. ISTEP+ also includes assessments in Algebra I, English 10, and Biology I.
Online	Communication of information via the Internet.
Other Governmental Body	An agency, a board, a branch, a bureau, a commission, a council, a department, an institution, an office, or another establishment of any of the following: (1) The judicial branch. (2) The legislative branch. (3) A political subdivision (includes towns, cities, local governments, etc.) (4) A state educational institution (including charter schools)
Products	Tangible goods or manufactured items as specified in this RFP.
Proposal	An offer as defined in IC 5-22-2-17.
Respondent	An offeror as defined in IC 5-22-2-18. The State will not consider a proposal responsive if two or more offerors submit a joint or combined proposal. One entity or individual must be clearly identified as the Respondent who will be ultimately responsible for performance of the contract.
Services	Work to be performed as specified in this RFP.
State	The State of Indiana.
State Agency	As defined in IC 4-13-1, "state agency" means an authority, board, branch, commission, committee, department, division, or other instrumentality of the executive, including the administrative department of state government.
Vendor	Any successful Respondent selected as a result of the procurement process to deliver the products or services requested by this RFP.
Web-based	Delivered via the Internet.

### 1.3 PURPOSE OF THE RFP

The purpose of this RFP is to select a vendor to assist in accomplishing the Indiana Department of Education's vision and mission through a mathematics initiative that offers technology-based curriculum and support services designed to improve student achievement. It is the intent of the Indiana Department of Education to contract with a vendor that offers high-quality services within a statewide technology-based mathematics intervention plan.

### 1.4 SUMMARY SCOPE OF WORK

The IDOA, acting on behalf of the IDOE, requires assistance in implementing a web-based statewide mathematics intervention plan to help increase student academic outcomes in mathematics.

It is the vision of the Indiana Department of Education that the academic achievement and career preparation of all Indiana students will be the best in the United States and on par with the most competitive countries in the world. In order to achieve its vision, the Indiana Department of Education has created an Action Plan to:

- Create and promote a statewide culture of academic excellence;
- Free Indiana schools from unnecessary regulations and eliminate other barriers to developing new and innovative structures for learning;
- Improve instructional quality and enhance school governance and leadership;
- Develop learning support systems that facilitate academic achievement and career preparation;
- Establish high and clear standards for success, keep score, and ensure that resulting school accountability is transparent to the public; and
- Provide exceptional customer service while operating with optimal efficiency and aligning all available resources around student learning.

In order to meet the Indiana Department of Education's goals and priorities set forth in the Action Plan and to ensure that all students have an opportunity to achieve academic success, this RFP invites submissions for a statewide technology-based mathematics intervention plan that has the capacity to offer individualized mathematics instruction, in the form of online tutoring, to middle- and high-school students throughout the state of Indiana.

It is the expectation of the Indiana Department of Education that the selected vendor will provide a statewide technology-based mathematics intervention plan that allows for secure, individual access for all participating students while in and out of the classroom. It is anticipated that the number of participating students will range from 5,000 – 35,000 students during the first year of implementation. The technology-based plan must be externally hosted outside of the Indiana Department of Education.

The selected vendor will be held to high expectations and accountability. To be selected, the vendor must demonstrate how the proposed intervention plan effectively leads to student academic achievement in mathematics, as evidenced by scientifically-based research. In order to meet the varying needs of students in Indiana, it is expected that the vendor's mathematics intervention plan will provide

individualized instruction and will appropriately align to Indiana's Academic Standards in mathematics. Furthermore, the selected vendor's proposed mathematics intervention plan must have the capability to produce administrative reports that depict aggregated, as well as individual, student progress.

Vendors with the capacity to meet the needs of Indiana by providing high-quality services that lead to student academic achievement in mathematics are invited to submit a proposal for the scope of work indicated above. Listed below is a general outline for this scope of work, designated to aid vendors with proposal submissions.

Proposals for web-based statewide mathematics interventions must include comprehensive plans that consist of the following components:

- Student information security;
- Connecting to Indiana Academic Standards for Mathematics (2000 and 2009);
- Relationship building with 21<sup>st</sup> Century Community Learning Centers and Local Educational Agencies;
- Scientifically-based strategies and methodologies;
- Student assessments that are directly linked to Indiana Academic Standards for Mathematics (2000 and 2009);
- Vendor's capacity to serve 5,000 – 35,000 students throughout Indiana;
- Compliance with FERPA;
- Training for school staff members;
- Individualizing instruction;
- Scaffolding instruction;
- Reporting student progress to school staff members and parents/guardians;
- Hiring project personnel that have expertise in mathematics and mathematics interventions; and
- External evaluation.

The selected vendor will be asked to place a copy of the source code in escrow in order to allow the State to continue to maintain the application in the event that the selected vendor's company goes out of business.

Indiana will consider any proposal(s) for such services through this RFP process, with the expectation that the vendor(s) provide plans that address all the requirements set forth in this RFP.

## 1.5 RFP OUTLINE

The outline of this RFP document is described below:

Section	Description
Section 1 – General Information and Requested Products or Services	This section provides an overview of the RFP, general timelines for the process, and a summary of the products/services being solicited by the State/Agency via this RFP.
Section 2 – Proposal Preparation Instruction	This section provides instructions on the format and content of the RFP including a Letter of Transmittal, Business Proposal, Technical Proposal, and a Cost Proposal.
Section 3 – Proposal Evaluation Criteria	This sections discusses the evaluation criteria to be used to evaluate respondents' proposals
Attachment A	M/WBE Participation Plan Form.
Attachment B	Sample Contract
Attachment C	Indiana Economic Impact Form

#### 1.6 QUESTION/INQUIRY PROCESS

All questions/inquiries regarding this RFP must be submitted in writing by the deadline of **3:00 p.m. Eastern Time on December 3, 2009**. Questions/Inquiries may be submitted via fax **(317-234-1281)** or email [rfp@idoa.IN.gov](mailto:rfp@idoa.IN.gov) and must be received by Procurement Division by the time and date indicated above.

Following the question/inquiry due date, Procurement Division personnel will compile a list of the questions/inquiries submitted by all Respondents. The responses will be posted to the IDOA website according to the RFP timetable established in Section 1.23. The question/inquiry and answer link will become active after responses to all questions have been compiled. Only answers posted on the IDOA website will be considered official and valid by the State. No Respondent shall rely upon, take any action, or make any decision based upon any verbal communication with any State employee.

Inquiries are not to be directed to any staff member of the Indiana Department of Education. Such action may disqualify Respondent from further consideration for a contract resulting from this RFP.

If it becomes necessary to revise any part of this RFP, or if additional information is necessary for a clearer interpretation of provisions of this RFP prior to the due date for proposals, an addendum will be posted on the IDOA website. If such addenda issuance is necessary, the Procurement Division may extend the due date and time of proposals to accommodate such additional information requirements, if required.

#### 1.7 DUE DATE FOR PROPOSALS

All proposals must be received at the address below by the Procurement Division no later than **3:00 p.m. Eastern Time on January 6, 2010**. Each Respondent must submit **one original hard-copy** (marked

“Original”) and **one original CD-ROM (marked "Original") and five (5) complete copies on CD-ROM** of the proposal, including the Transmittal Letter and other related documentation as required in this RFP. The **original** CD-ROM will be considered the official response in evaluating responses for scoring and protest resolution. **The respondent's proposal response on this CD may be posted on the IDOA website, (<http://www.in.gov/idoa/2462.htm>) if recommended for selection.** Each copy of the proposal must follow the format indicated in Section Two of this document. Unnecessarily elaborate brochures or other presentations, beyond those necessary to present a complete and effective proposal, are not desired. All proposals must be addressed to:

James Osborne  
Indiana Department of Administration  
Procurement Division  
402 West Washington Street, Room W478  
Indianapolis, IN 46204

**If you hand-deliver solicitation responses:**

To facilitate weapons restrictions at Indiana Government Center North and Indiana Government Center South, as of **July 21, 2008**, the public must enter IGC buildings through a designated public entrance. The public entrance to Indiana Government Center South is located at 302 W. Washington St. (the eastern-most Washington St. entrance). This entrance will be equipped with metal detectors and screening devices monitored by Indiana State Police Capitol Police.

Passing through the public entrance may take some time. Please be sure to take this information into consideration if your company plans to submit a solicitation response in person.

**Caution to Respondents about shipping/mailing:** United States Postal Express and Certified Mail are both delivered to the Government Center Central Mailroom, and not directly to the Procurement Division. It is the responsibility of the Respondent to make sure that solicitation responses are received by the Procurement Division at the Department of Administration's reception desk on or before the designated time and date. Late submissions will not be accepted. The Department of Administration, Procurement Division clock is the official time for all solicitation submissions.

All proposal packages must be clearly marked with the RFP number, due date, and time due. Any proposal received by the Department of Administration, Procurement Division after the due date and time will not be considered. Any late proposals will be returned, unopened, to the Respondent upon request. All rejected proposals not claimed within 30 days of the proposal due date will be destroyed.

No more than one proposal per Respondent may be submitted.

The State accepts no obligations for costs incurred by Respondents in anticipation of being awarded a contract.

**All proposals submitted to the State should be double-sided and printed on 30% post-consumer recycled content paper or tree-free paper. When possible, soy ink should be used.**

## 1.8 PRE-PROPOSAL CONFERENCE

A pre-proposal conference will be held on **December 2, 2009 from 8:15 a.m. – 10:00 a.m. ET in the IGC South Conference Center, Room B, 402 West Washington Street, Indianapolis, Indiana 46204**. At this conference, potential respondents may ask questions about the RFP and the RFP process. Respondents are reminded that no answers issued verbally at the conference are binding on the State and any information provided at the conference, unless it is later issued in writing, also is not binding on the State.

## 1.9 MODIFICATION OR WITHDRAWAL OF OFFERS

Modifications to responses to this RFP may only be made in the manner and format described in Section 1.6 and clearly identified as a modification.

The Respondent's authorized representative may withdraw the proposal, in person, prior to the due date. Proper documentation and identification will be required before the Procurement Division will release the withdrawn proposal. The authorized representative will be required to sign a receipt for the withdrawn proposal.

Modification to, or withdrawal of, a proposal received by the Procurement Division after the exact hour and date specified for receipt of proposals will not be considered.

## 1.10 PRICING

Pricing on this RFP must be firm and remain open for a period of not less than 180 days from the proposal due date.

Please refer to the Cost Proposal sub-section under Section 2 for a detailed discussion of the proposal pricing format and requirements.

## 1.11 PROPOSAL CLARIFICATIONS AND DISCUSSIONS, AND CONTRACT DISCUSSIONS

The State reserves the right to request clarifications on proposals submitted to the State. The State also reserves the right to conduct proposal discussions, either oral or written, with Respondents. These discussions could include request for additional information, request for cost or technical proposal revision, etc. Additionally, in conducting discussions, the State may use information derived from proposals submitted by competing respondents only if the identity of the respondent providing the information is not disclosed to others. The State will provide equivalent information to all respondents which have been chosen for discussions. Discussions, along with negotiations with responsible respondents may be conducted for any appropriate purpose.

The Procurement Division will schedule all discussions. Any information gathered through oral discussions must be confirmed in writing.

A sample contract is provided in Attachment B. Any requested changes to the sample contract must be submitted with your response (See Section 2.3.5 for details). The State reserves the right to reject any

of these requested changes. It is the State's expectation that any material elements of the contract will be substantially finalized prior to contract award.

#### 1.12 BEST AND FINAL OFFER

The State may request best and final offers from those Respondents determined by the State to be reasonably viable for contract award. However, the State reserves the right to award a contract on the basis of initial proposals received. Therefore, each proposal should contain the Respondent's best terms from a price and technical standpoint.

Following evaluation of the best and final offers, the State may select for final contract negotiations/execution the offers that are most advantageous to the State, considering cost and the evaluation criteria in this RFP.

#### 1.13 REFERENCE SITE VISITS

The State may request a site visit to a Respondent's working support center to aid in the evaluation of the Respondent's proposal. Site visits, if required will be discussed in the technical proposal.

#### 1.14 TYPE AND TERM OF CONTRACT

The State intends to sign a contract with one or more Respondent(s) to fulfill the requirements in this RFP.

The term of the contract shall be for a period of one (1) year from the date of contract execution. There may be three (3) one year renewals for a total of four (4) years at the State's option.

#### 1.15 CONFIDENTIAL INFORMATION

Respondents are advised that materials contained in proposals are subject to the Access to Public Records Act (APRA), IC 5-14-3 *et seq.*, and, after the contract award, the entire RFP file may be viewed and copied by any member of the public, including news agencies and competitors. Respondents claiming a statutory exception to the APRA must place all confidential documents (including the requisite number of copies) in a sealed envelope clearly marked "Confidential" and must indicate in the Transmittal Letter and on the outside of that envelope that confidential materials are included. The Respondent must also specify which statutory exception of APRA that applies. The State reserves the right to make determinations of confidentiality. If the Respondent does not identify the statutory exception, the Procurement Division will not consider the submission confidential. If the State does not agree that the information designated is confidential under one of the disclosure exceptions to APRA, it may seek the opinion of the Public Access Counselor. Prices are not confidential information.

#### 1.16 TAXES

Proposals should not include any tax from which the State is exempt.



#### 1.17 PROCUREMENT DIVISION REGISTRATION

In order to receive an award, you must be registered as a bidder with the Department of Administration, Procurement Division. Therefore, to ensure there is no delay in the award all Respondents are strongly encouraged to register prior to submission of their response. Respondents should go to [www.in.gov/idoa/2464.htm](http://www.in.gov/idoa/2464.htm) to register.

#### 1.18 SECRETARY OF STATE REGISTRATION

If awarded the contract, the Respondent will be required to register, and be in good standing, with the Secretary of State. The registration requirement is applicable to all limited liability partnerships, limited partnerships, corporations, S-corporations, nonprofit corporations and limited liability companies. Information concerning registration with the Secretary of State may be obtained by contacting:

Secretary of State of Indiana  
Corporation Division  
402 West Washington Street, E018  
Indianapolis, IN 46204  
(317) 232-6576  
[www.in.gov/sos](http://www.in.gov/sos)

#### 1.19 COMPLIANCE CERTIFICATION

Responses to this RFP serve as a representation that it has no current or outstanding criminal, civil, or enforcement actions initiated by the State, and it agrees that it will immediately notify the State of any such actions. The Respondent also certifies that neither it nor its principals are presently in arrears in payment of its taxes, permit fees or other statutory, regulatory or judicially required payments to the State. The Respondent agrees that the State may confirm, at any time, that no such liabilities exist, and, if such liabilities are discovered, that State may bar the Respondent from contracting with the State, cancel existing contracts, withhold payments to set off such obligations, and withhold further payments or purchases until the entity is current in its payments on its liability to the State and has submitted proof of such payment to the State.

#### 1.20 EQUAL OPPORTUNITY COMMITMENT

Pursuant to IC 4-13-16.5 and in accordance with 25 IAC 5, it has been determined that there is a reasonable expectation of minority and woman business enterprises subcontracting opportunities on a contract awarded under this RFP. Therefore a contract goal of 8 % for Minority Business Enterprises and 8 % for Woman Business Enterprises have been established and all respondents will be expected to comply with the regulation set forth in 25 IAC 5.

Failure to meet these requirements will affect the evaluation of your proposal.

#### 1.21 MINORITY & WOMEN'S BUSINESS ENTERPRISES RFP SUBCONTRACTOR COMMITMENT

In accordance with 25 IAC 5-5, the respondent is expected to submit with its proposal a MWBE Subcontractor Commitment Form. The Form must show that there are, participating in the proposed contract, Minority Business Enterprises (MBE) and Women Business Enterprises (WBE) listed in the

Minority and Women's Business Enterprises Division (MWBED) directory of certified firms located at <http://www.in.gov/idoa/2352.htm>.

If participation is met through use of vendors who supply products and/or services directly to the Respondent, the Respondent must provide a description of products and/or services provided that are directly related to this proposal and the cost of direct supplies for this proposal. Respondents must complete the Subcontractor Commitment Form in its entirety.

Failure to meet these goals will affect the evaluation of your Proposal. The Department reserves the right to verify all information included on the MWBE Subcontractor Commitment Form.

Respondents are encouraged to contact and work with MWBED at 317-232-3061 to design a subcontractor commitment to meet established goals as referenced in this solicitation.

**Prime Contractors must ensure that the proposed subcontractors meet the following criteria:**

- Must be listed on the IDOA Directory of Certified Firms
- Each firm may only serve as once classification – MBE or WBE
- A Prime Contractor who is an MBE or WBE must meet subcontractor goals by using other listed certified firms. Certified Prime Contractors cannot count their own workforce or companies to meet this requirement.
- Must serve a commercially useful function. The firm must serve a value-added purpose on the engagement.
- Must provide goods or service only in the industry area for which it is certified as listed in the directory at <http://www.in.gov/idoa/2352.htm>
- Must be used to provide the goods or services specific to the contract
- National Corporate Diversity Plans are generally not acceptable

**MINORITY & WOMEN'S BUSINESS ENTERPRISES RFP SUBCONTRACTOR LETTER OF COMMITMENT**

A signed letter(s), on company letterhead, from the MBE and/or WBE must accompany the MWBE Subcontractor Commitment Form. Each letter shall state and will serve as acknowledgement from the MBE and/or WBE of its subcontract amount, a description of products and/or services to be provided on this project and approximate date the subcontractor will perform work on this contract. The State will deny evaluation points if the letter(s) is not attached, not on company letterhead, not signed and/or does not reference and match the subcontract amount and the anticipated period that the Subcontractor will perform work for this solicitation.

By submission of the Proposal, the Respondent acknowledges and agrees to be bound by the regulatory processes involving the State's M/WBE Program. Questions involving the regulations governing the MWBE Subcontractor Commitment Form should be directed to: Minority and Women's Business Enterprises Division at (317) 232-3061 or [mwbe@idoa.in.gov](mailto:mwbe@idoa.in.gov).

**1.22 AMERICANS WITH DISABILITIES ACT**

The Respondent specifically agrees to comply with the provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 *et seq.* and 47 U.S.C. 225).

### 1.23 SUMMARY OF MILESTONES

The following timeline is only an illustration of the RFP process. The dates associated with each step are not to be considered binding. Due to the unpredictable nature of the evaluation period, these dates are commonly subject to change. At the conclusion of the evaluation process, all Respondents will be informed of the evaluation team's findings.

***Key RFP Dates:***

Activity	Date
Issue of RFP	November 26, 2009
Pre-Proposal Conference	December 2, 2009
Deadline to Submit Written Questions	December 3, 2009
Response to Written Questions/RFP Amendments	December 11, 2009
Submission of Proposals	January 6, 2010
<b><i>The dates for the following activities are target dates only. These activities may be completed earlier or later than the date shown.</i></b>	
Proposal Evaluation	TBD
Proposal Discussions/Clarifications (if necessary)	TBD
Oral Presentations (if necessary)	TBD
Best and Final Offers (if necessary)	TBD
Contract Award	TBD

## SECTION TWO PROPOSAL PREPARATION INSTRUCTIONS

### 2.1 GENERAL

To facilitate the timely evaluation of proposals, a standard format for proposal submission has been developed and is described in this section. All Respondents are required to format their proposals in a manner consistent with the guidelines described below:

- Each item must be addressed in the Respondent's proposal.
- The Transmittal Letter must be in the form of a letter. The business and technical proposals must be organized under the specific section titles as listed below.

### 2.2 TRANSMITTAL LETTER

The Transmittal Letter must address the following topics except those specifically identified as "optional."

#### 2.2.1 Agreement with Requirement in listed in Section 1

The Respondent must explicitly acknowledge understanding of the general information presented in Section 1 and agreement with any requirements/conditions listed in Section 1.

#### 2.2.2 Summary of Ability and Desire to Supply the Required Products or Services

The Transmittal Letter must briefly summarize the Respondent's ability to supply the requested products and/or services that meet the requirements defined in Section Three of this RFP. The letter must also contain a statement indicating the Respondent's willingness to provide the requested products and/or services subject to the terms and conditions set forth in the RFP including, but not limited to, the State's mandatory contract clauses.

#### 2.2.3 Signature of Authorized Representative

A person authorized to commit the Respondent to its representations and who can certify that the information offered in the proposal meets all general conditions including the information requested in Section 2.3.4, must sign the Transmittal Letter. **In the Transmittal Letter, please indicate the principal contact for the proposal along with an address, telephone and fax number as well as an e-mail address, if that contact is different than the individual authorized for signature.**

#### 2.2.4 Respondent Notification

Unless otherwise indicated in the Transmittal Letter, Respondents will be notified via e-mail.

It is the Respondent's obligation to notify the Procurement Division of any changes in any address that may have occurred since the origination of this solicitation. The

Procurement Division will not be held responsible for incorrect vendor/contractor addresses.

#### 2.2.5 Other Information

This item is optional. Any other information the Respondent may wish to briefly summarize will be acceptable.

### 2.3 BUSINESS PROPOSAL

The Business Proposal must address the following topics except those specifically identified as “optional.”

#### 2.3.1 General (optional)

This section of the business proposal may be used to introduce or summarize any information the Respondent deems relevant or important to the State’s successful acquisition of the products and/or services requested in this RFP.

#### 2.3.2 Respondent’s Company Structure

The legal form of the Respondent’s business organization, the state in which formed (accompanied by a certificate of authority), the types of business ventures in which the organization is involved, and a chart of the organization are to be included in this section. If the organization includes more than one product division, the division responsible for the development and marketing of the requested products and/or services in the United States must be described in more detail than other components of the organization.

#### 2.3.3 Company Financial Information

This section must include the Respondent’s financial statement, including an income statement and balance sheet, for each of the two most recently completed fiscal years. The financial statements must demonstrate the Respondent’s financial stability. If the financial statements being provided by the Respondent are those of a parent or holding company, additional financial information should be provided for the entity/organization directly responding to this RFP.

#### 2.3.4 Integrity of Company Structure and Financial Reporting

This section must include a statement indicating that the CEO and/or CFO has taken personal responsibility for the thoroughness and correctness of any/all financial information supplied with this proposal. The particular areas of interest to the State in considering corporate responsibility include the following items: separation of audit functions from corporate boards and board members, if any, the manner in which the organization assures board integrity, and the separation of audit functions and consulting services. The State will consider the information offered in this section to determine the responsibility of the Respondent under IC 5-22-16-1(d).

The Sarbanes Oxley Act of 2002, H.R. 3763, is NOT directly applicable to this procurement; however, its goals and objectives may be used as a guide in the determination of corporate responsibility for financial reports.

#### 2.3.5 Contract Terms/Clauses

A sample contract that the state expects to execute with the successful Respondent(s) is provided in Attachment B. This contract contains both mandatory and non-mandatory clauses. Mandatory clauses are listed below and are non-negotiable. Other clauses are highly desirable. It is the State's expectation that the final contract will be substantially similar to the sample contract provided in Attachment B.

In your Transmittal Letter please indicate acceptance of these mandatory contract terms (see section 2.2.2). In this section please review the rest of the contract and indicate your acceptance of the non-mandatory contract clauses. If a non-mandatory clause is not acceptable as worded, suggest specific alternative wording to address issues raised by the specific clause. If you require additional contract terms please include them in this section. To reiterate it's the State's strong desire to not deviate from the contract provided in the attachment and as such the State reserves the right to reject any and all of these requested changes.

The mandatory contract terms are as follows:

- Authority to Bind Contractor
- Duties of Contractor, Rate of Pay, and Term of Contract
- Compliance with Laws
- Drug-free Workplace Provision and Certification
- Funding Cancellation
- Indemnification
- Governing Laws
- Non-discrimination clause
- Payments
- Penalties/Interest/Attorney's Fees
- Non-collusion and Acceptance
- Information Technology

Any or all portions of this RFP and any or all portions of the Respondents response may be incorporated as part of the final contract

#### 2.3.6 References

The Respondent must include a list of at least three (3) clients for whom the Respondent has provided products and/or services that are the same or similar to those products and/or services requested in this RFP. Information provided should include the name, address, and telephone number of the client facility and the name, title, and phone/fax numbers of a person who may be contacted for further information.

#### 2.3.7 Registration to do Business

##### Secretary of State

If awarded the contract, the Respondent will be required to be registered, and be in good standing, with the Secretary of State. The registration requirement is applicable to all limited liability partnerships, limited partnerships, corporations, S-corporations, nonprofit corporations and limited liability companies. The Respondent must indicate the status of registration, if applicable, in this section of the proposal.

##### Department of Administration, Procurement Division

Additionally, respondents must be registered with the IDOA. This can be accomplished on-line at <http://www.in.gov/idoa/2464.htm>.

The IDOA Procurement Division maintains two databases of vendor information. The Bidder registration database is set up for vendors to register if you are interested in selling a product or service to the State of Indiana. Respondents may register on-line at no cost to become a Bidder with the State of Indiana. To complete the on-line Bidder registration, go to <http://www.in.gov/idoa/2464.htm>. The Bidder registration offers email notification of upcoming solicitation opportunities, corresponding to the Bidder's area(s) of interest, selected during the registration process. Respondents do need to be registered to bid on and receive email notifications. Completion of the Bidder registration will result in your name being added to the Bidder's Database, for email notification. The Bidder registration requires some general business information, an indication of the types of goods and services you can offer the State of Indiana, and locations(s) within the state that you can supply or service. There is no fee to be placed in Procurement Division's Bidder Database. To receive an award, you must be registered as a bidder.

Problems or questions concerning the registration process or the registration form can be e-mailed to Amey Redding, Vendor Registration Coordinator, at [aredding@idoa.in.gov](mailto:aredding@idoa.in.gov), or you may reach her by phone at (317) 234-3542.

#### 2.3.8 Authorizing Document

Respondent personnel signing the Transmittal Letter of the proposal must be legally authorized by the organization to commit the organization contractually. This section shall contain proof of such authority. A copy of corporate bylaws or a corporate resolution adopted by the board of directors indicating this authority will fulfill this requirement.

#### 2.3.9 Subcontractors

The Respondent is responsible for the performance of any obligations that may result from this RFP, and shall not be relieved by the non-performance of any subcontractor. Any Respondent's proposal must identify all subcontractors and describe the contractual relationship between the Respondent and each subcontractor. Either a copy of the executed subcontract or a letter of agreement over the official signature of the firms involved must accompany each proposal.

Any subcontracts entered into by the Respondent must be in compliance with all State statutes, and will be subject to the provisions thereof. For each portion of the proposed products or services to be provided by a subcontractor, the technical proposal must include the identification of the functions to be provided by the subcontractor and the subcontractor's related qualifications and experience.

The combined qualifications and experience of the Respondent and any or all subcontractors will be considered in the State's evaluation. The Respondent must furnish information to the State as to the amount of the subcontract, the qualifications of the subcontractor for guaranteeing performance, and any other data that may be required by the State. All subcontracts held by the Respondent must be made available upon request for inspection and examination by appropriate State officials, and such relationships must meet with the approval of the State.

The Respondent must list any subcontractor's name, address and the state in which formed that are proposed to be used in providing the required products or services. The subcontractor's responsibilities under the proposal, anticipated dollar amount for subcontract, the subcontractor's form of organization, and an indication from the subcontractor of a willingness to carry out these responsibilities are to be included for each subcontractor. This assurance in no way relieves the Respondent of any responsibilities in responding to this RFP or in completing the commitments documented in the proposal. The Respondent must indicate which, if any, subcontractors qualify as a Minority or Women Owned Business under IC 4-13-16.5-1. See Section 1.21 and Attachment A for Minority and Women Business information.

### 2.4 TECHNICAL PROPOSAL

The Technical Proposal must be divided into the sections described below. Every point made in each section must be addressed in the order given. The same outline numbers presented in this RFP must be used in the vendor's response. The narrative portion of the Technical Proposal must be double-spaced, with no smaller than one-inch margins and may not exceed 25 pages. Font must be 12-point Times New



Roman. Where appropriate, supporting documentation may be referenced by a page and paragraph number. If supporting documentation is referenced, the narrative of the Technical Proposal must contain a meaningful summary of the referenced material. The referenced document must be included as an appendix to the Technical Proposal, with referenced sections clearly marked. If there are multiple references or multiple documents, these must be listed and organized for ease of use by the State. Citations must be in APA format. Any Technical Proposal that does not adhere to all of these requirements will be discarded and not reviewed.

#### 2.4.1 Application Cover Page

The vendor must attach a cover page, which serves as the first page of the Technical Proposal. The cover page must provide the name of the vendor and the name of the main contact, as well as the mailing address, phone number and e-mail address where the main contact can best be reached.

#### 2.4.2 Mathematics Intervention Plan Description

- a. Describe the major elements of the vendor's mathematics intervention plan and explain the research upon which it is based. Include all necessary research citations.
- b. Provide an explanation indicating the specific ways in which the vendor's mathematics intervention plan connects to the best practices recommendations set forth in the U.S. Department of Education Institute of Education Sciences (IES) Practice Guide *Assisting Students Struggling with Mathematics: Response to Intervention (RTI) for Elementary and Middle Schools*. The IES Practice Guide can be found in the What Works Clearinghouse website at:  
[http://ies.ed.gov/ncee/wwc/pdf/practiceguides/rti\\_math\\_pg\\_042109.pdf](http://ies.ed.gov/ncee/wwc/pdf/practiceguides/rti_math_pg_042109.pdf).
- c. Describe the way(s) in which the vendor's intervention plan has been effective in leading to increased student academic achievement in mathematics. Provide empirical or statistical evidence of this increased student academic achievement and describe the methodology used to collect this evidence.
- d. Describe the way(s) in which the vendor's intervention plan addresses the goals outlined in the IDOE's Vision and Action Plan, which can be found at  
<http://www.doe.in.gov/actionplan/>.
- e. Provide an explanation demonstrating the vendor's capacity to provide online, technology-based mathematics intervention services to 5,000 – 35,000 students throughout Indiana.

#### 2.4.3 High Quality Curriculum and Intervention Plan

- a. Describe the way(s) in which the vendor's intervention plan directly connects or will connect to *Indiana Academic Standards for Mathematics* (2000 and 2009), available online at: <http://dc.doe.in.gov/Standards/AcademicStandards/index.shtml>. Provide examples of specific standards addressed within the vendor's lessons by identifying the exact standard citation. Be sure to include the way(s) in which the mathematics

intervention plan will address students' algebra readiness as described by the "Benchmarks for the Critical Foundation" found in the National Mathematics Advisory Panel (2008).

- b. Describe the process used to ensure that instruction is individualized in order to meet the unique needs of all participating students. Be sure to also describe the way(s) in which the needs of students with special needs and English Language Learners will be addressed.
- c. Describe the way(s) in which the vendor's mathematics intervention plan will engage students and encourage them to participate and to do well in the program. If student incentives will be used, provide evidence that supports the use of the student incentives described.

#### 2.4.4 Assessment Plan

- a. Explain how the vendor's student assessment plan aligns to and draws from the curricular aims at middle and high school grade levels of the *Indiana Academic Standards for Mathematics* (2009).
- b. Explain how the vendor's student assessment plan relates to or aligns vertically across grades and links to *Indiana Academic Standards for Mathematics* (2009) at other levels of learning.
- c. Describe the methods and timelines for reporting student progress to school staffs and to participating students and their parents/guardians. Be sure to explain how assessment results will be reported in a simple, understandable format.

#### 2.4.5 Quality of Project Personnel

- a. Provide a description of all of the vendor's project personnel who will contribute to the successful implementation of a web-based mathematics intervention plan as described in Section 1. Include a resume with references for each team member or consultant as an appendix. Please note that personnel working on the project may not be changed without advance permission from IDOE.
- b. Describe how the qualifications of project personnel will enable the intervention plan to improve student academic achievement in mathematics. Be sure to address the experience and background in mathematics of all project personnel.

#### 2.4.6 Collaboration with IDOE and Participating Schools

- a. Describe how the vendor has established, or plans to establish, relationships with existing Indiana programs, such as 21<sup>st</sup> Century Community Learning Centers (21<sup>st</sup> CCLCs) and other existing Indiana or local after-school programs that extend or enhance students' instructional days. Please note that the vendor must establish relationships with 21<sup>st</sup> CCLCs.

- b. Describe the way in which the vendor will collaborate with schools and the IDOE to adopt a student-user identity that can be linked to the student's State-assigned Student Test Number (STN).
- c. Describe the vendor's program training that will be provided to participating school staff members. Be sure to include the vendor's plan for providing ongoing technical assistance to participating schools.

#### 2.4.7 Compliance with FERPA

- a. Provide an explanation of how the vendor will maintain compliance with confidentiality requirements set forth in FERPA. The explanation should include the vendor's acknowledgement regarding the importance of keeping student information confidential.

#### 2.4.8 External Evaluation

- a. Describe the vendor's plan to coordinate with an objective external evaluator to determine the effects of the mathematics intervention plan on student outcomes in classrooms and on assessments, including standardized assessments.

#### 2.4.9 Vendor Project Management

- a. The vendor is required to assign a single point of contact for this mathematics intervention plan and to manage all inquiries related to the program services. Please provide a description of how the vendor's intervention plan will be managed. Include an explanation of each of the following functions of management for which the vendor will be responsible:
  1. Continuity of Contracts – The vendor shall cooperate fully with IDOE through each year of the contract and into any new year of the contract.
  2. Management Meetings – The vendor shall provide for quarterly management meetings between the Contractor and IDOE staff. These management meetings shall provide an opportunity to review and discuss program implementation, status and student academic outcomes.
  3. Records and Minutes – The vendor shall take minutes and record lists of participants at all meetings and provide those minutes and lists of participants to IDOE.
  4. Ownership and Materials – The vendor shall establish IDOE (unless otherwise noted) as the exclusive owner of any materials developed specifically for the implementation or purposes of the project.
  5. IDOE Approval Schedule – IDOE shall approve all materials and/or deliverables developed in conjunction with this RFP.

6. Communication Plan – The vendor is required to provide ongoing communication with IDOE staff as any problems or issues arise and when successes are evident.

- b. Provide the vendor's project plan as an attachment. The project plan must include timelines and the resource or roles responsible for completing each task. All deliverables should be identified in the project plan. Please note that the project plan will not need to be as detailed as the one created once the selected vendor's mathematics intervention plan is initiated; however, enough detail should be included in order to demonstrate a reasonable approach and timeframe.

#### 2.4.10 Methodology

- a. Provide the methodology that the vendor will use for developing or customizing the technology-based mathematics intervention plan. The methodology should include all roles and responsibilities, activities and tasks and should be detailed enough to sufficiently convey a mature and established method.

#### 2.4.11 Hardware/Software Requirements

- a. Provide the minimum hardware and software configurations, including operating systems required for the mathematics intervention plan to run. The response should address both the client and server environments.

#### 2.4.12 Architecture Requirements

- a. Provide a short explanation describing how the mathematics intervention plan will conform to the Assistive Technology Policy (Section 508). The respondent may submit a Voluntary Product Accessibility Template (VPAT) if already available or complete an Assistive Technology Compliance Evaluation Form (available from IOT). Provide one of these documents as attachments.

#### 2.4.13 Security

- a. Provide the vendor's Disaster Recovery Plan in the event of a disaster. The Disaster Recovery Plan should include plans to regularly test the application as well as an off-site recovery location.
- b. Describe the vendor's business continuity plans.
- c. Provide evidence that the vendor's mathematics intervention plan aligns to the State's security policy.

#### 2.4.14 Support

- a. Describe the way(s) in which support for the mathematics intervention plan will be provided. If support will be provided through a help desk, explain when the help

desk will be available including how the help desk will be accessed (e.g., via telephone, Internet access, etc.) and where help desk operators will be located. If a help desk will be accessed via phone, indicate whether or not a toll-free number will be provided.

- b. If applicable, describe the vendor's service levels for hosting the intervention plan, help desk, etc.
- c. Describe the way(s) in which training will be provided to users and in what form (e.g., web-based, instructor led, etc.). Be sure to address any additional costs for training.

#### 2.4.15 Maintenance

- a. Describe how any maintenance to the technology-based mathematics intervention plan will be applied, such as fixes and enhancements to the software.

#### 2.4.15 State Responsibilities

- a. Describe all responsibilities of the State that will be necessary in successfully developing, customizing, and maintaining the vendor's application. Be sure to address the level of resources and estimated number of hours for State personnel's needed availability. Any hardware and software that is not specifically identified in Section 2.4.12 (Hardware/Software Requirements) should be provided here.

### References

Gersten, R., Beckmann, S., Foegen, A., Marsh, L., Star, J. R., & Witzel, B. (2009). *Assisting students struggling with mathematics: Response to Intervention (RtI) for elementary and middle schools* (NCEE 2009-4060). Washington, DC: National Center for Education Evaluation and Regional Assistance, Institute of Education Sciences, U.S. Department of Education.

Indiana Department of Education. (2009). *Indiana's Academic Standards for Mathematics*. Indianapolis: author.

National Mathematics Advisory Panel. (2008). *Foundations for success: The final report of the National Mathematics Advisory Panel*. Washington, DC: U.S. Department of Education.

## 2.5 COST PROPOSAL

The baseline for this RFP is \$1,050,000.

Proposals should include a breakdown of all costs, including but not limited to the portion of vendor salaries being funded, phone services, mailings, supplies, etc. as well as an overall total cost.

One-time costs must be separated from annual (reoccurring) costs.

Proposals must indicate whether or not an upgrade cost for any new version of the technology-based mathematics intervention plan is included in the maintenance and support costs. If upgrade costs are applicable, explain how frequently upgrades will occur and include the typical or current cost for a new version of the mathematics intervention plan.

If applicable provide the cost for hosting the mathematics intervention plan, a help desk, etc. Be sure to address how fees will be reduced if the service levels described in Section 2.4.14 of the Technical Proposal are not met.

## 2.6 INDIANA ECONOMIC IMPACT

All companies desiring to do business with state agencies must complete an “Indiana Economic Impact” form (Attachment C). The collection and recognition of the information collected with the Indiana Economic Impact form places a strong emphasis on the economic impact a project will have on Indiana and its residents regardless of where a business is located. The collection of this information does not restrict any company or firm from doing business with the state.

## 2.7 BUY INDIANA INITIATIVE/INDIANA COMPANY

It is the Respondent’s responsibility to confirm its Buy Indiana status for this portion of the process. If a Respondent has previously registered its business with IDOA, go to <http://www.in.gov/idoa/2464.htm> and click on the link to update this registration. Click the tab titled Buy Indiana. Select the appropriate category for your business. Respondents may only select one category. Certify this selection by clicking the check box next to the certification paragraph. Once this is complete, save your selection and exit your account.

Respondents that have not previously registered with IDOA must go to <http://www.in.gov/idoa/2464.htm> and click on the link to register. During the registration process, follow the steps outlined in the paragraph above to certify your business’ status. The registration process should be complete at the time of proposal submission.

### **Defining an Indiana Business:**

“Indiana business” refers to any of the following:

- (1) A business whose principal place of business is located in Indiana.
- (2) A business that pays a majority of its payroll (in dollar volume) to residents of Indiana.
- (3) A business that employs Indiana residents as a majority of its employees.

Respondents claiming this status must indicate which of the provisions above qualifies them as an Indiana business. They must also fully complete the Indiana Economic Impact Form (Attachment C) and include it with their response.

The following is the policy concerning items 4 & 5 described below. Appropriate documentation must be provided with your proposal response supporting either claim made below:

- (4) A business that makes significant capital investments in Indiana.
- (5) A business that has a substantial positive economic impact on Indiana.

**Substantial Capital Investment:**

Any company that can demonstrate a minimum capital investment of \$5 million or more in plant and/or equipment or annual lease payments of \$2.5 million or more shall qualify as an Indiana business under category #4. If an out of state company does not meet one of these criteria, it can submit documentation/justification to the State for review for inclusion under this category.

**Substantial Indiana Economic Impact:**

Any company that is in the top 500 companies (adjusted) for one of the following categories: number of employees (DWD), unemployment taxes (DWD), payroll withholding taxes (DOR), or Corporate Income Taxes (DOR); it shall qualify as an Indiana business under category #5. If a Respondent needs assistance in determining if its business qualifies under this criterion, please send an email inquiry to [buyindianainvest@idoa.in.gov](mailto:buyindianainvest@idoa.in.gov) and you will receive a response within forty-eight (48) hours. If an out-of-state company does not meet one of these criteria, it can submit documentation/justification to the State for review for inclusion under this category.

## **SECTION THREE PROPOSAL EVALUATION**

### **3.1 PROPOSAL EVALUATION PROCEDURE**

The State has selected a group of personnel to act as a proposal evaluation team. Subgroups of this team, consisting of one or more team members, will be responsible for evaluating proposals with regard to compliance with RFP requirements. All evaluation personnel will use the evaluation criteria stated in Section 3.2. The Commissioner of IDOA or his designee will, in the exercise of her sole discretion, determine which proposals offer the best means of servicing the interests of the State. The exercise of this discretion will be final.

The procedure for evaluating the proposals against the evaluation criteria will be as follows:

- 3.1.1 Each proposal will be evaluated for adherence to requirements on a pass/fail basis. Proposals that are incomplete or otherwise do not conform to proposal submission requirements may be eliminated from consideration.
- 3.1.2 Each proposal will be evaluated on the basis of the categories included in Section 3.2. A point score has been established for each category.
- 3.1.3 If technical proposals are close to equal, greater weight may be given to price.
- 3.1.4 Based on the results of this evaluation, the qualifying proposal determined to be the most advantageous to the State, taking into account all of the evaluation factors, may be selected by IDOA and IDOE for further action, such as contract negotiations. If, however, IDOA and IDOE decide that no proposal is sufficiently advantageous to the State, the State may take whatever further action is deemed necessary to fulfill its needs. If, for any reason, a proposal is selected and it is not possible to consummate a contract with the Respondent, IDOA may begin contract preparation with the next qualified Respondent or determine that no such alternate proposal exists.

### **3.2 EVALUATION CRITERIA**

Proposals will be evaluated based upon the proven ability of the Respondent to satisfy the requirements of the RFP in a cost-effective manner. Each of the evaluation criteria categories is described below with a brief explanation of the basis for evaluation in that category. The points associated with each category are indicated following the category name (total maximum points = 105). Negative points may be assigned in the cost score. Additionally, there is an opportunity for a bonus of five points if certain criteria are met. For further information, please reference Section 3.2.3 below. If any one or more of the listed criteria on which the responses to this RFP will be evaluated are found to be inconsistent or incompatible with applicable federal laws, regulations or policies, the specific criterion or criteria will be disregarded and the responses will be evaluated and scored without taking into account such criterion or criteria.



***Summary of Evaluation Criteria:***

<b>Criteria</b>	<b>Points</b>
1. Adherence to Mandatory Requirements	Pass/Fail
2. Management Assessment/Quality (Business and Technical Proposal)	<b>35 points</b>
3. Cost (Cost Proposal)	<b>-20 to +20 available points (5 bonus points are available if certain criteria is met)</b>
4. Indiana Economic Impact	15
5. Buy Indiana	10
6. Minority (10) and Women Business (10) Subcontractor Commitment	20
<b>Total</b>	<b>100 (105 if bonus awarded)</b>

All proposals will be evaluated using the following approach.

**Step 1**

In this step proposals will be evaluated only against Criteria 1 to ensure that they adhere to Mandatory Requirements. Any proposals not meeting the Mandatory Requirements will be disqualified.

**Step 2**

The proposals that meet the Mandatory Requirements will then be scored based on Criteria 2 and 3 ONLY. This scoring will have a maximum possible score of 55 points. All proposals will be ranked on the basis of their combined scores for Criteria 2 and 3 ONLY. This ranking will be used to create a “short list”. Any proposal not making the “short list” will not be considered for any further evaluation.

Step 2 may include one or more rounds of proposal discussions focused on cost and other proposal elements.

**Step 3**

The short-listed proposals will then be evaluated based on all the entire evaluation criteria outlined in the table above.

If the State conducts additional rounds of discussions and a BAFO round which lead to changes in either the technical or cost proposal for the short listed Respondents, their scores will be recomputed.

The section below describes the different evaluation criteria.

3.2.1 Adherence to Requirements – Pass/Fail

Respondent's passing this category move to Phase 2 and proposal is evaluated for Management Assessment/Quality and Price.

3.2.2 Management Assessment/Quality - 35 points

3.2.3 Price – 20 points available

Price will be measured against the State's baseline cost for this scope of work. The cost that the State is currently paying or its best estimate will constitute the baseline cost.

Cost scoring points will be assigned as follows:

- Respondents who meet the State's current baseline cost will receive zero (0) cost points.
- Respondents who propose a decrease to the State's current costs will receive positive points at the same rate as bid increasing cost.
- Respondents who propose an increase to the State's current cost will receive negative points at the same rate as bid lowering cost.
- Respondents who propose a 10% decrease to the State's current baseline cost will receive all of the available cost points.
- If multiple Respondents decrease costs below 10% of the current baseline, an additional 5 points will be added to the Respondent proposing the lowest cost to the State.

3.2.4 Indiana Economic Impact -15 points

See Section 2.6 for additional information.

The total number of full time equivalent (FTE – please see Section 1.2 for a definition of FTE's) Indiana resident employees for the Respondent's proposal (prime contractor and subcontractors) will be used to evaluate the Respondent's Indiana Economic Impact. Points will be awarded based on a graduated scale. The Respondent with the most Indiana FTEs will be awarded 15 points. Points will then be awarded to the remaining Respondents proportionately.

3.2.5 Buy Indiana Initiative – 10 points

Respondents qualifying as an Indiana Company as defined in Section 2.7 will receive 10 points in this category.

3.2.6 Minority (10 points) & Women's Business (10 points) Subcontractor Commitment - 20 points

The following formula will be used to determine points to be awarded:

The commitment factor for each proposal will be calculated by multiplying the commitment percentage by one hundred. The RFP score ratio will be determined by dividing the maximum allowable points by the highest commitment factor. The proposal with the highest commitment factor will be given the maximum allowable points. The points awarded to the other proposals will be calculated by multiplying the score ratio by the proposed commitment factor.

Commitment percentage \* 100 = commitment factor

Maximum allowable points/highest commitment factor = score ratio

Commitment factor \* score ratio = points awarded

The Commissioner of IDOA or his designee will, in the exercise of his sole discretion, determine which proposal(s) offer the best means of servicing the interests of the State. The exercise of this discretion will be final.